



Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

The work is a manual for the busy lawyer, and so considered, as it should be, deserves high commendation. It is not, and does not pretend to be a text-book, nor does it attempt to give any history of the statutory law of New York relating to the subjects of descent and distribution, or any exposition of the reasons which have led to the adoption of the statutes now in force ; but, taking those statutes as interpreted by the courts as a basis, and adopting the admirable plan "of naming particular relations, and then stating their rights to take or share in the property of deceased persons," it gives the result of a laborious and painstaking analysis of the existing statutes, and does accurately and concisely make clear, as it purports to do, the rights of the living to the property of deceased relatives in cases of intestacy, and gives citations to authorities upholding the statements of the text.

The accuracy of prior editions has been recognized by the courts, and the present edition is not less accurate, although, having been published in January, 1904, it contains the statement which is not now the law, viz. : "Grandparents are incapable of inheriting real estate" (p. 54, § 5). By Chapter 106 of the Laws of 1904, which went into effect March 22nd, 1904, subdivision 5 was added to § 288 of the Real Property Law, and confers upon grandparents the right to inherit in the cases therein specified.

A book of this character is not calculated to bring fame to its author, but it renders an important service to his professional brethren, and makes them his debtors.

AMERICAN RAILROAD LAW. By Simeon E. Baldwin. Boston : Little, Brown & Company, 1904. pp. lxvi. 770.

Much matter has been excluded from this treatise which one might properly expect to find under such a title. This has been intentional and the purpose is avowed in the preface. All that great body of law concerning the obligation of railroads to their passengers and shippers of freight and the public in general has been treated in the most elementary fashion, and its consideration practically limited to one of the six parts into which the book is divided. On this particular phase of railroad law, therefore, the student or practitioner will not receive such practical help as he would derive from some of the older texts on carriers, such as Hutchinson, for example.

The scope of the discussion in four of the remaining five parts is restricted to what may be termed the administrative side of railroading in its legal bearing; such as the organization and reorganization of the corporation; the location, construction and equipment of the line; the financing of such an enterprise, and the various methods of transferring and encumbering the property. The discussion of the nature of the franchise is one which commends itself as the best single chapter in the book. It is lucid, incisive, and no better elementary treatment of the subject is to be found.

The sixth part treats of Actions, and this is followed by an appendix of illustrative forms. These forms are evidently the result of many years of practical experience, but it is not likely that many railroad counsel will substitute them for the forms in their own files. This is because such models cannot well be made of such general application

as to fit all jurisdictions and conform to the great variety of statutory requirements in the several States. The same circumstance militates greatly against the success of the attempt to make generalizations as to modes of incorporation and kindred topics. In fact, the author merely blazes the trail in the roughest fashion, and his chief service is in pointing out to the lawyer what he should look for in the digests and statutes of his own State. As such an analytical chart the volume is of very considerable value. It is to the careful railroad attorney what a "First Aid to the Injured Compound" is to the young ambulance surgeon, and is to be used in a similar manner.

Within the narrower limits set for himself by the author, however, the publication is a distinct addition to the literature of the subject, and speaks with convincing authority. Begun some twenty years ago, every page bears the evidence of sound theoretical consideration leavened with mature practical experience. The citation of authorities has been made with unusual discrimination, and is characterized by a very apparent aim to invoke only leading decisions strictly relevant to the point under consideration, rather than to marshal an array of cases more or less in support of the principle sought to be established.

Although the volume has been so long in preparation, it appears to have been thoroughly revised and brought down to date. Thus the influence of the Sherman Act upon combinations and consolidations is discussed, and the effect of the decision in the Northern Securities case in the United States Supreme Court last March is considered. Again, in commenting upon the right to change and abandon stations, the interesting case of *State v. Northern Pacific Railway Company*, decided in Minnesota a little earlier, is cited.

A HISTORY OF MATRIMONIAL INSTITUTIONS. By George Elliott Howard, Ph. D. Chicago. The University of Chicago Press. Callaghan and Company, and London, T. Fisher Unwin. 1904. 3 Vols. pp. xv, 473, 497, and 449.

The author believes that a true historical perspective is essential to a correct understanding of the evolution of the matrimonial institutions of the English race. Accordingly this work consists of three parts, the first being an introductory "Analysis of the Literature and the Theories of Primitive Matrimonial Institutions," the second "Matrimonial Institutions in England," and the third "Matrimonial Institutions in the United States." This scholarly treatise is evidently the result of unwearying research, and as it is written in an attractive style the reader is borne along through the three volumes with unflagging interest and the feeling at the conclusion that he has been given a view or the experience of the race in its treatment of sex relationships and is better qualified to deal with the modern problems of marriage and divorce whether as a citizen, a law maker or a lawyer.

Part I, presents the facts and arguments which have been relied upon to establish the patriarchal theory, the theory of the horde and mother right and the theory of the monogamous family. The author inclines to the view that pairing took its rise beyond the border line separating man from the lower animals and that with the dawn of history, though the union was not always lasting, this was the type